

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

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| <p>SMARTMATIC USA CORP., SMARTMATIC INTERNATIONAL HOLDING B.V., and SGO CORPORATION LIMITED,</p> <p style="text-align: center;">Plaintiffs, v. MICHAEL J. LINDELL and MY PILLOW, INC.,</p> <p style="text-align: center;">Defendants.</p> | <p>Case No. 22-cv-0098-WMW-JFD</p> |
|---|------------------------------------|

JOINT MOTION TO AMEND THE PRETRIAL SCHEDULING ORDER

Plaintiffs Smartmatic USA Corp., Smartmatic International Holding B.V., and SGO Corporation Limited (“Smartmatic”), and Defendants Michael J. Lindell and My Pillow, Inc. (collectively, “Defendants” and, together with Smartmatic, the “Parties”) jointly move the Court to amend the Pretrial Scheduling Order (ECF No. 64), extending all current discovery deadlines.

Good cause exists for this requested amendment. To date, the Parties have served multiple sets of written discovery, resulting in the production of nearly 5 million documents. The Parties have met and conferred on more than a half-dozen occasions and have successfully resolved most of their discovery disputes without court intervention. The Parties await the Court’s guidance regarding their outstanding cross motions to compel, which may result in the production of additional documents. (ECF Nos. 72, 73.) The Parties continue to work through other discovery disputes which may require future motion

practice. The Parties are also coordinating deposition scheduling, which is complex given the number of witnesses and counsel around the country, including third party witnesses. The Parties expect that depositions will begin later this month or early June, once the bulk of the document review is complete. In sum, the Parties have been diligent in their discovery efforts, but the sheer volume of documents and witnesses necessitates a modest extension of the schedule. The proposed amendments preserve the existing deadline to file dispositive motions and the trial-ready date.

The Parties therefore respectfully request that the Court revise the case schedule as follows:

| Event | Current Deadline | Proposed Deadline |
|---|-------------------------|--------------------------|
| Close of Fact Discovery | 6/30/2023 | 8/25/2023 |
| Deadline to File Fact Discovery Motions | 6/30/2023 | 8/25/2023 |
| Identify Initial Experts | 7/28/2023 | 9/22/2023 |
| Exchange of Expert Reports | 7/28/2023 | 9/22/2023 |
| Identify Rebuttal Experts | 9/1/2023 | (no deadline) |
| Rebuttal Expert Reports | 9/29/2023 | 10/20/2023 |
| Completion of Expert Depositions; Deadline to File Expert Motions | 12/1/2023 | 12/1/2023 (no change) |
| Deadline to Schedule Dispositive Motions | 12/1/2023 | 12/1/2023 (no change) |
| Ready for Trial | 4/1/2024 | 4/1/2024 (no change) |

Dated: May 2, 2023

/s/ Michael E. Bloom

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